

REMARKS / DISCUSSION OF ISSUES

The present amendment is submitted in response to the Non-Final Office Action mailed March 3, 2010. Claims 1, 5, 12-16, 18-24 and 26-30 remain in this application. Claims 1, 12-14, 16, 20-24 and 27-30 have been amended. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Interview Summary

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Tuesday, June 15, 2010. During the telephonic interview, a proposed amendment to Claim 1 was presented. The Examiner indicated that the claims in their present form would be deemed allowable if Applicants agree to file a Terminal Disclaimer in satisfaction of the Double Patenting Rejection raised in the Office Action. Applicants agree to file the Terminal Disclaimer to move the case to allowance. Applicants further note some minor amendments to the claims have been made for clarity in accordance with further discussions conducted during the telephonic interview.

Double Patenting Rejection

In the Office Action, Claims 1, 16 and 24 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4-6 and 14 of U.S. Patent No. 7,538,787 in view of U.S. Patent Application No. 2002/0012315 ("Lida") and U.S. Patent Application No. 2002/010588 ("Levich").

Applicant submits herewith a terminal disclaimer based on the double patenting rejection over claims 1, 4-6 and 14 of U.S. Patent No. 7,538,787 ("Lambert") in view of U.S. Patent Application No. 2002/0012315 ("Lida") and U.S. Patent Application No. 2002/010588 ("Levich").

Rejections under 35 U.S.C. §103(a)

In the Office Action, Claims 1, 12-14, 24, 26 and 27-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2002/0012315 ("Lida") and

U.S. Patent No. 5,941,649 ("Hansel") and further in view of U.S. Patent No. 5,608,717 ("Ito"). In the Office Action, Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lida and further in view of U.S. Patent Application No. 2002/0012315 ("Hansel") and further in view of Levich. In the Office Action, Claims 15 and 30 stands rejected under 35 U.S.C. §103(a) as being anticipated by Lida, Hansel, Ito and further in view of U.S. Patent Application No. 2004/0052202 ("Brollier"). In the Office Action, Claims 16 and 18-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lida, Hansel, Levich and Ito. In the Office Action, Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lida, Hansel and Ito. In the Office Action, Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lida, Hansel, Levich and Brollier.

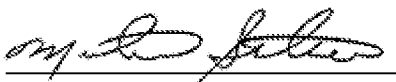
As agreed during the Telephonic Interview, all of the 103 rejections raised in the instant Office Action will be obviated upon the filing of the terminal disclaimer.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 5, 12-16, 18-24 and 26-30 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,



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